

REMARKS

Claims 1-9 are pending in this application. Claims 1-9 stand rejected. By this Amendment, claims 2 and 6 have been amended. The amendments made to the claims do not alter the scope of these claims, nor have these amendments been made to define over the prior art. Rather, the amendments to the claims have been made to improve the form thereof. In light of the amendments and remarks set forth below, Applicants respectfully submit that each of the pending claims is in immediate condition for allowance.

Applicants note that the Examiner has not acknowledged Applicants' claim for priority or receipt of the priority document. The priority document was submitted with the original filing of this application. As such, Applicants respectfully request that the Examiner acknowledge Applicants' for priority and receipt of the submission of the priority document. A copy of the stamped post-card receipt is also enclosed.

Claims 2-4 and 6-9 stand rejected under 35 U.S.C. § 112, second paragraph. Applicants have amended claims 2 and 6 in accordance with the Examiner's rejection. As such, Applicants respectfully request reconsideration and withdrawal of the rejection.

Claims 1-9 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,946,633 ("McAlinden"). Applicants respectfully request reconsideration and withdrawal of this rejection.

To anticipate a claim under 35 U.S.C. § 102, the cited reference must disclose every element of the claim, as arranged in the claim, and in sufficient detail to enable one skilled in the art to make and use the anticipated subject matter. See, PPG Industries, Inc. v. Guardian Industries Corp., 75 F.3d 1558, 1566 (Fed. Cir. 1996); C.R. Bard, Inc. v. M3 Sys., Inc., 157 F.3d 1340, 1349 (Fed. Cir. 1998). A reference that does not expressly disclose all of the elements of a claimed invention cannot anticipate

unless all of the undisclosed elements are inherently present in the reference. See, Continental Can Co. USA v. Monsanto Co., 942 F.2d 1264, 1268 (Fed. Cir. 1991).

Among the limitations of independent claim claims 1 and 5 not present in McAlinden is "said first radio relay terminating station preserves a plurality of network addresses to be assigned to said first radio relay station and to said wireless terminal, assigns a first network address belonging to said plurality of network addresses to said first radio-relay station ... wherein said first radio-relay station preserves said first address pool and assigns a second network address belonging to said first address pool to said wireless terminal." Likewise, the corresponding method step in claim 5 is not present in the McAlinden.

In McAlinden, high-speed communication is accomplished using multiple low-speed connections. In practice, as taught by McAlinden, a mobile central office provides mobile ID numbers to a high bandwidth cellular data server. These mobile ID numbers (MINs) are transmitted to a high bandwidth cellular data terminal when additional bandwidth is required. The high bandwidth cellular data terminal communicates using multiple connections. However, at no time does the mobile central office assign a MIN to the high bandwidth cellular data server from the pool of mobile ID numbers reserved by the mobile central office for the high bandwidth cellular data server.

It should be noted that the high bandwidth cellular data terminal does not correspond to a radio-relay station nor does the mobile central office correspond to a radio-relay terminating station. As discussed above, the high bandwidth cellular data terminal does not receive an address pool from the mobile central office nor does the high bandwidth cellular data terminal assign an address to a personal computer from its address pool. Additionally, whereas the mobile central office has a plurality of mobile identification numbers, these mobile identification numbers are never assigned to

personal computers. Thus, the explicitly recited limitations of Applicants' apparatus and method claims are not present in McAlinden and the present claims should be allowed.

Claims 2-4 depend either directly or indirectly from, and contain all the limitations of claim 1. These dependent claims also recite additional limitations which, in combination with the limitations of claim 1, are neither disclosed nor suggested by McAlinden and are also believed to be directed towards the patentable subject matter. Thus, claims 2-4 should also be allowed.

Claims 6-9 depend either directly or indirectly from, and contain all the limitations of claim 5. These dependent claims also recite additional limitations which, in combination with the limitations of claim 5, are neither disclosed nor suggested by McAlinden and are also believed to be directed towards the patentable subject matter. Thus, claims 6-9 should also be allowed.

Applicants have responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

Application No.: 09/976,562

Docket No.: N3236.0034

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below

Dated: October 4, 2005

Respectfully submitted,

By 

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Title WIRELESS NETWORK SYSTEM AND NETWORK...
First Inventor Toshiyuki Sashihara et al. Date OCT. 12, 2001
The PTO has received: new appln. Last Due Date: OCT. 13, 2001

☒ Patent Application of 58 Pages (including claims & abstract)
☒ Declaration or ☐ Designation Sheet
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